

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Kenji TAGAWA et al.

Serial No. 09/973,798

Filed October 11, 2001



: **Mail Stop: ISSUE FEE**

: **Confirmation No. 7230**

: [Group Art Unit 2645

: Examiner Joseph T. Phan]

MOBILE PHONE WITH MUSIC
REPRODUCTION FUNCTION, MUSIC
DATA REPRODUCTION METHOD BY
MOBILE PHONE WITH MUSIC
REPRODUCTION FUNCTION, AND THE
PROGRAM THEREOF

SECOND RESPONSE TO ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

The Applicant hereby requests that the Information Disclosure Statement (IDS) filed with the Patent Office on March 16, 2004 be completely considered by the Examiner, as it appears that the Examiner has inadvertently failed to initial next to the Foreign Patent Documents reference "AM" listed thereon. The Applicant also requests that the Examiner return a completely initialed copy of the form PTO-1449 which was filed as part of the IDS of March 16, 2004. Enclosed is a copy of the Information Disclosure Statement, the partial initialed form PTO-1449, the reference in question, and date-stamped postcard receipt as evidence that the Information Disclosure Statement was submitted.

Respectfully submitted,

Kenji TAGAWA et al.

By

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June 27, 2005

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In re application of

Kenji TAGAWA et al.

Serial No. 09/973,798

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: Confirmation No. 7230

: Docket No. 2001_1544A

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COPY

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of ☒ the references listed on attached form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☒ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☒ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee; and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

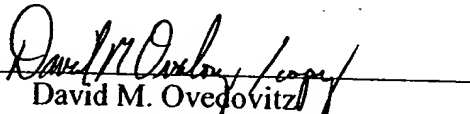
- a. ☐ a full or partial English language translation submitted herewith,
- b. ☐ a foreign patent office search report (in the English language) submitted herewith,
- c. ☐ the concise explanation contained in the specification of the present application at page,
- d. ☒ the concise explanation set forth in the attached English language abstract,
- e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:

5. ☐ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Kenji TAGAWA et al.

By



David M. Ovedovitz
Registration No. 45,336
Attorney for Applicants

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March 16, 2004

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
2001_1544ASERIAL NO.
09/973,798LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)APPLICANT
Genji TAGAWA et al.

Date Submitted to PTO: March 16, 2001

FILING DATE
October 11, 2001GROUP
2645

MAR 16 2004

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA					
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					

COPY

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JP	AJ 11-168534	6/1999	JP			Abstract
JP	AK 10-320892	12/1998	JP			Abstract
JP	AL 07-121930	5/1995	JP			Abstract
	AM 02-294985	12/1990	JP			Abstract
	AN					

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

AO

AP

AQ

EXAMINER

DATE CONSIDERED

05/25/04

ATTY DOCKET #: 2001_1544A

Due Date: ~~March~~ 18, 2004

Confirmation No. 7230

OUR REF: 2001_1544A/DMO/01836

Applicant: Kenji TAGAWA et al.

Serial No.: 09/973,798

Filing Date: October 11, 2001

Title: MOBILE PHONE WITH MUSIC REPRODUCTION FUNCTION, MUSIC
DATA REPRODUCTION METHOD BY MOBILE PHONE WITH MUSIC
REPRODUCTION FUNCTION, AND THE PROGRAM THEREOF

Receipt of the following papers is acknowledged:

Patent Office Fee Transmittal Form (in duplicate)

Amendment

Substitute Specification and Abstract (Marked-up Version - 46 pages)

Substitute Specification and Abstract (Clean Version - 46 pages)

Information Disclosure Statement, PTO-1449 and 4 references

Verified English Translation of Japanese Patent No. 2000-313151

Check in the amount of \$180.00



Date: March 16, 2004

Attorney: DMO/jmj

[Check No. 60750 **]**